

House Bill 353

By: Representatives Carpenter of the 4th, Morris of the 26th, Cantrell of the 22nd, Momtahan of the 17th, and Williams of the 148th

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding insurance, so as to create the crime of staging a motor vehicle
3 collision; to provide for related matters; to provide for an effective date; to repeal conflicting
4 laws; and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general
8 provisions regarding insurance, is amended by adding a new Code section to read as follows:
9 "33-1-9.1.

10 (a) A natural person shall be guilty of the crime of staging a motor vehicle collision when,
11 with intent to commit insurance fraud or file a lawsuit, such person:

12 (1) Operates a motor vehicle and intentionally causes or attempts to cause a collision
13 involving a motor vehicle;

14 (2) Engages in a scheme to create evidence of a motor vehicle collision that did not
15 occur; or

16 (3) Organizes, plans, participates in, causes, or otherwise assists in a scheme to
17 intentionally cause a collision involving a motor vehicle.

18 Staging a motor vehicle collision shall constitute a felony punishable by no less than a term
19 of one year imprisonment.

20 (b) A natural person shall be guilty of the crime of aggravated staging of a motor vehicle
21 collision when, with intent to commit insurance fraud or file a lawsuit, such person
22 commits acts in violation of subsection (a) of this Code section which result in personal
23 injury or death. Aggravated staging of a motor vehicle collision shall constitute a felony
24 punishable by no less than a term of five years imprisonment.

25 (c) A natural person shall be guilty of the crime of making a fraudulent claim related to a
26 staged motor vehicle collision when such person makes, or assists in making, a claim for

27 insurance benefits of any type or brings, or assists in bringing, a civil lawsuit against
28 another seeking monetary damages with knowledge that the injuries for which insurance
29 benefits or monetary damages are sought resulted from a staged motor vehicle collision.
30 Making a fraudulent claim related to a staged motor vehicle collision shall constitute a
31 felony and shall be punishable by no less than a term of five years imprisonment."

SECTION 2.

33 This Act shall become effective upon its approval by the Governor or upon its becoming law
34 without such approval.

SECTION 3.

36 All laws and parts of laws in conflict with this Act are repealed.